

UNITED STATES DISTRICT COURT

for the

District of Nebraska

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

07 SEP 25 AM 9:08

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

OFFICE OF THE CLERK

**Name of Offender:** Richard Fender **Docket Number:** 8:07CR43-001  
**Sentencing Judge:** The Honorable Joseph F. Bataillon  
Chief U.S. District Judge  
**Date of Original Sentence:** June 28, 2007  
**Original Offense:** Aiding and Abetting Criminal Theft of Property from  
Interstate Shipment [18 U.S.C. 659 and 2]  
**Original Sentence:** 5 years probation  
**Type of Supervision:** Probation  
**Date Supervision Commences:** June 28, 2007 to June 27, 2012

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**PETITIONING THE COURT**

       To extend the term of supervision for \_\_\_\_\_, for a total term of \_\_\_\_\_.

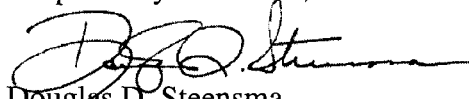
  X   To modify the conditions of supervision as follows:

**Waive the costs of electronic monitoring.**


**CAUSE**

Mr. Fender was ordered to pay restitution in the amount of \$7,028.00 in monthly installments of \$100 or 3% of the defendant's gross income, whichever is greater. Mr. Fender earns approximately \$1500.00 a month in gross income and cannot afford the cost of home confinement in conjunction with his restitution payment. Therefore, the probation office recommends the home confinement costs be waived.

Respectfully submitted,

  
Douglas D. Steensma  
U.S. Probation Officer


Reviewed by

  
John A. Hill, Supervising  
U.S. Probation Officer

THE COURT ORDERS

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- ☐ No Action
- ☐ The Extension of Supervision as noted above
- ☒ The Modification of Conditions as noted above
- ☐ Other

  
The Honorable Joseph F. Bataillon  
Chief U.S. District Judge

9/24/07  
Date

Prob 49  
(Rev. 12/00)

**United States District Court**

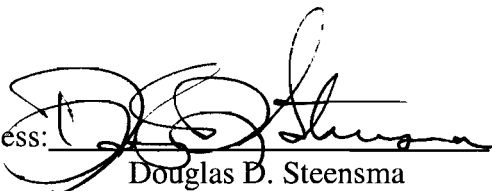
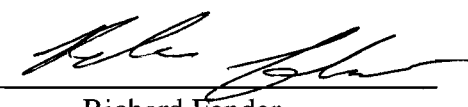
**District of Nebraska**

**Waiver of Hearing to Modify Conditions  
of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervision. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following additional conditions:

**Waive the costs of electronic monitoring.**

Witness:  Signed:   
Douglas B. Steensma Richard Fender  
U.S. Probation Officer Offender

Date: 9/21/07

